

REMARKS

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, the claims have been amended for clarity.

The claims, in particular claim 1, included "monitoring the performance of the storage device". Throughout the specification, the term "monitoring" has been used to indicate "measuring", and is consistent with the definition of the term in Webster's New Collegiate Dictionary, 1979, "3: to watch, observe, or check esp. for a special purpose". However, it appears that the Examiner is defining the term "monitoring" as "managing". Applicants acknowledge that Webster's also supports this definition "4: to keep track of, regulate or control the operation of (as a machine or process". In order to eliminate any confusion or misinterpretation, Applicants have chosen to amend the claims to change "monitoring" to "measuring".

The Examiner has finally rejected claims 1-20 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,424,606 to Okazaki et al. in view of U.S. Patent 4,831,449 to Kimura.

The Okazaki et al. patent discloses a method for detecting vibration in a disc drive and apparatus therefor, in which photodiodes A-F detect a laser beam reflected from the surface of a rotating disc, and the outputs therefrom are applied to a vibration detector 190. Based on the amount of the determined vibration, a microcontroller 150 takes appropriate action, e.g., reducing the speed of rotation of the disc.

The Kimura patent discloses a television apparatus incorporating receiver and video tape recorder in a common cabinet, in which when vibrations in the cabinet exceed a particular level, if the VTR is in a recording mode, then the resulting recorded image may, when played back, exhibit "image shake" or distortion in the resulting displayed picture.

The Examiner now states:

"Okazaki teaches a method of operating a storage device sensitive to vibrations in an environment with a source of vibrations (see abstract 10), characterized in that the method comprises the following acts: monitoring the performance of the storage device (by detecting the vibration the tracking subsystem is disabled in doing so, the storage performance is managed see abstract 6-10), and when the performance of the storage device decreases below a pre-determined level taking action to reduce the influence of vibrations generated by the source of vibrations (when the performance decreases below a predetermined level the vibration detector disable the subsystem due to the action it was taken see column 6, lines 16-26). But Okazaki doesn't teach where the performance of the storage device includes at least one of sound production, access time of the storage device, data rate, and data storage rate. However, Kimura teaches that the performance of the storage device includes at least one of sound production, access time of the storage device, data rate, and data storage rate (e.g., see column 3, lines 58-67 and column 4, lines 1-20). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method of Okazaki by adopting the teaching of Kimura to include sound production as far as the storage performance is concerned, for the reason that such vibration, noise, or distortion may appear in the picture, particularly when the vibration are generated in the VTR5."

Applicants submit, however, that the claim 1 limitation is "measuring the performance of the storage device". While the Examiner is correct in that the performance of the storage device is managed by detecting vibration of the tracking system and

disabling the tracking system if the vibration exceed a particular level, Applicants submit that there is no disclosure or suggestion in Okazaki et al. of measuring the performance. Rather, Okazaki et al. merely presumes that the performance will be degraded below an acceptable level if the amount of vibration is above a particular amount. Applicants stress that while Okazaki et al. discloses measuring vibration, since the storage device is not intended to produce vibrations but rather to store information, the measuring of vibration is not a performance parameter.

It appears that the Examiner is interpreting Okazaki et al. in the opposite sense than how Okazaki et al. actually operates. In particular, Okazaki et al. is measuring vibration, not the performance of the disc drive, and if the vibration exceeds a predetermined level, Okazaki et al. disables the subsystem, thereby stopping the performance (dropping the performance below a predetermined level). However, the subject invention measures the performance, and when the performance drops below a predetermined level, steps are taken to reduce the influence of vibration on the performance.

With regard to Kimura, Applicants submit that while Kimura "teaches" that performance of the storage device includes "video production", there is no disclosure that "the performance of the storage device includes at least one of sound production, access time of the storage device, data access rate, and data storage rate". Rather, Kimura teaches that audio signals, when reproduced via integral loudspeakers, may adversely affect the video

presentation on display, and may adversely affect the video signal being recorded such that when the recorded video signal is reproduced, "there may be a so called "image shake" or distortion in the resulting displayed picture".

In view of the above, Applicants believe that the subject invention, as claimed, is not rendered obvious by the prior art, either individually or collectively, and as such, is patentable thereover.

Applicants believe that this application, containing claims 1-20, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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